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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,973	12/29/2001	Melvin Diaz	ALPINE.007AUS	5329

7590 11/17/2003  
MURAMATSU & ASSOCIATES  
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EXAMINER

HERNANDEZ, OLGA

ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/036,973

Applicant(s)

DIAZ, MELVIN

Examiner

Olga Hernandez

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3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12, 13 and 15-18 is/are allowed.
- 6) ☒ Claim(s) 1-9 and 14 is/are rejected.
- 7) ☒ Claim(s) 8-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 11/2/03 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 10/20/03 have been fully considered but they are not persuasive. The applicant has added the limitation "unlimited numbers of subscribers," which DeLorme covers in figures 4a-4c, column 2, lines 10-13 and column 5, lines 41-44. regarding the public communication, DeLorme teaches the use of the Internet (column 8, lines 25-27) as described in the applicant disclosure.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by DeLorme (6,321,158).

As per claim 1, DeLorme discloses:

- a display (figures 1a and 1a1);
- a data terminal connected to the display for processing data based on a program (figures 1a and 1a1);
- a navigation system for determining a position of the data terminal and a position of a destination (column 8, column 13, lines 9-11 and column 38, lines 65-68);

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- a transceiver for receiving event data from a remote event data server through a communication system, where the event data server is a service provider for providing event information including schedules of events to subscriber members (column 8, lines 35-45, column 9, lines 5-10 and column 10, lines 16-25);
- wherein the data terminal associates the event data from the event data server with position information from the navigation system and retrieves event information based on a search method specified by a user to display the retrieved event information on the display (abstract).

As per claim 2, DeLorme discloses how to achieve wireless communication therebetween, thereby receiving the event data from the event data server in real time (column 1, lines 53-68).

As per claim 3, DeLorme discloses the transceiver is an Internet receiver connected to a communication cable of the communication system to receive the event data through Internet and stores the event data in a memory device and processes the event data in combination with the position information (column 8).

As per claims 4 and 6, wherein the transceiver, the data terminal, and the navigation system are incorporated in a portable navigation system, thereby enabling the navigation system to receive the event data from the remote event data server and to search and display the event information in connection with the position information (column 8 and figure 1a3).

As per claim 5, DeLorme discloses the transceiver, the data terminal and the navigation system are implemented as a vehicle navigation system, thereby enabling the vehicle navigation

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system to receive the event data from the remote event data server and to search and display the event information in connection with the position information on vehicle current position and the destination (column 9, lines 25-35, column 13, lines 40-45, abstract, figures 1a, 1a1, 1a2, 1a3, and 1a5)

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme (6,321,158) in view of Cao et al (6,446,004).

As per claim 7, DeLorme does not teach how to interrelates the movie data with the position information and retrieves movie information by a search specified by the user and displays the information. However, Cao teaches it in column 2, lines 33-45. Therefore, it would have been obvious to one of ordinary skill in the art to combine the aforementioned references in order to be more convenient to the user.

***Allowable Subject Matter***

5. Claims 12, 13, 15-18 are allowed.

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6. Claims 8-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

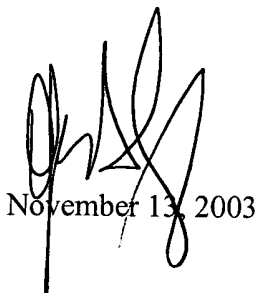
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Hernandez whose telephone number is (703) 305-0918.

The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



November 13, 2003

Olga Hernandez  
Examiner  
Art Unit 3661